

REGULAR MEETING OF THE CITY COUNCIL, FEBRUARY 26, 2018

Meeting was called to order at 7:30 P.M.

Attendance was taken by a roll call vote. All members were present except Councillor Freda.

The Committee on Records reported that the records from February 12, 2018 were examined and found to be in order. The records were accepted.

The following COMMUNICATIONS were received, referred to the FINANCE COMMITTEE and given REGULAR COURSE.

- C-39 Relative to the appropriation of \$2,000.00 to the Cemetery Perpetual Care Overtime Account; same to be transferred from the Cemetery Perpetual Care Income Account.
- C-40 Relative to the appropriation of \$6,050.00 to the Health Department Expense Account; same to be transferred from the Stabilization Fund.

The following PETITION was received, referred to the LEGAL AFFAIRS COMMITTEE, given REGULAR COURSE and referred to the Police Department/Traffic Division.

- 36-18 Mark C. Bodanza: Delete the one hour parking restriction on Central Street (westerly side), beginning at a point one hundred twenty feet south of Union Street southerly for a distance of two hundred five feet.

The following PETITION was received, referred to the LEGAL AFFAIRS COMMITTEE, given REGULAR COURSE and referred to the Health Department, Police Department, Mayor and City Solicitor.

- 37-18 Mark C. Bodanza, Richard M. Marchand and David R. Cormier: Delete Chapter 14, Section 21 of the Leominster Revised Ordinances and replace with a new section relative to the Consumption of Marijuana or Tetrahydrocannabinol (THC).

The following PETITION was received, referred to the LEGAL AFFAIRS COMMITTEE, given REGULAR COURSE and referred to the Comptroller, Treasurer, Mayor and City Solicitor.

- 38-18 Mark C. Bodanza, Richard M. Marchand and David R. Cormier: Accept local option pursuant to M.G.L. Chapter 64N Section 3(a) to impose a local sales tax on marijuana or marijuana products sold by a marijuana retailer in the City to anyone other than another marijuana establishment at the rate of 3% of total sales.

Upon recommendation of the WAYS AND MEANS & VETERANS AFFAIRS COMMITTEE the following PETITION was GRANTED. Vt. 8/0

- 29-18 Gail P. Feckley: Designate the position of Legal Counsel to the City Council as a Special Municipal Employee in accordance with M.G.L. Chapter 268A, Section 1(n).

Upon recommendation of the WAYS AND MEANS & VETERANS AFFAIRS COMMITTEE the following PETITION was GRANTED AS AMENDED. Amended to remove "City Clerk Assistant from S-5 to S-7". Vt. 8/0

- 31-18 Richard M. Marchand, David R. Cormier, Gail P. Feckley, John M. Dombrowski, Susan Chalifoux Zephir & Claire M. Freda: Amend Chapter 16-34 of the revised ordinances of the City of Leominster to change the classification of the City Clerk from a S-9 to a S-10, effective July 1, 2018.

Upon request of the LEGAL AFFAIRS COMMITTEE the following PETITION was given FURTHER TIME. Vt. 8/0 (Hearing continued to March 12, 2018 at 7:00 P.M.)

- 14-18 John P. Bulger & Dorothy Rouleau and ten (10) registered voters: Rezone the following parcels on Pleasant Street and Lowe Street from Residence B to Residence A: (*Hearing continued to March 12, 2018 at 7:00 P.M.*)
- **Pleasant Street West Side**
    - Map 481, Lots 19 & 20
    - Map 521, Lot 1 & 39
    - Map 488, Lots 1, 5, 6, 7, 8
    - Map 494, Lots 18, 3A, 3-1A, 3-2A, 3-2B, and 3-2C
  - **Pleasant Street East Side**
    - Map 561, Lots 35A, 36A, 37A
    - Map 340, Lots 1 & 2
    - Map 410, Lots 1, 2, 3, 4, 5, 22, & 23
    - Map 496, Lots 1, 2, 3 & 7
  - **Lowe Street**
    - Map 488, Lot 5

Upon recommendation of the LEGAL AFFAIRS COMMITTEE the following PETITION was GRANTED. Vt. 7/0; Council Bodanza abstained due to a possible conflict of interest.

- 32-18 R.S. Lucier Construction Corp: Accept the deed for Sawtelle Road for public way and utility purposes.

Upon request of the LEGAL AFFAIRS COMMITTEE the following PETITION was given FURTHER TIME. Vt.8 /0 (Hearing continued to March 26, 2018 at 6:45 P.M.). A request was made to have abutters notified.

33-18 Dean J. Mazzearella: Change the zoning of eight lots of land from the Residence B zoning district to the Commercial zoning district located along the north side of Mechanic Street and the south side of the unimproved portion of Glendale Street and also the unimproved Milton Street and adjacent portion of Glendale Street, all as shown on a plan entitled "Plan to Accompany Petition for Zoning Change – Leominster, Mass. Prepared for Dean J. Mazzearella", dated January 10, 2018, by Whitman & Bingham Associates, LLC.

Upon request of the LEGAL AFFAIRS COMMITTEE the following PETITION was given FURTHER TIME. Vt. 8/0 (Hearing continued to March 12, 2018 at 6:45 P.M.)

34-18 Middlesex Integrative Medicine, Inc.: Grant a Special Permit for a registered marijuana cultivation site located at 25 Mohawk Drive.

Upon request of the LEGAL AFFAIRS COMMITTEE the following PETITION was given FURTHER TIME. Vt. 7/1; Councillor David Cormier opposed.

35-18 Claire M. Freda: Adopt a moratorium for the City of Leominster regarding recreational marijuana until December 1, 2018.

Councillor Bodanza, Chair of the FINANCE COMMITTEE, read the Financial Report for the City into the record. Account balances are as follows:

Stabilization Account: \$10,614,584.57

Upon recommendation of the FINANCE COMMITTEE, the following COMMUNICATION was GRANTED and ORDERED. Vt. 8 "yeas".

C-37 Relative to the appropriation of \$13,175.00 to the Sealer of Weights and Measures Salary & Wages Account; same to be transferred from the Stabilization Fund.

ORDERED: - that the sum of Thirteen Thousand One Hundred and Seventy-Five Dollars (\$13,175.00) be appropriated to the Sealer of Weights and Measures Salary & Wages Account; same to be transferred from the Stabilization Fund.

Upon recommendation of the FINANCE COMMITTEE, the following COMMUNICATION was GRANTED and ORDERED. Vt. 7 "yeas"; Councillor David Cormier abstained due to a possible conflict of interest.

C-38 Relative to the appropriation of \$75,000.00 to the Police & Fire Indemnification Expense Account; same to be transferred from the Stabilization Fund.

ORDERED: - that the sum of Seventy-Five Thousand Dollars (\$75,000.00) be appropriated to the Parking Meter Expense Account; same to be transferred from the Parking Meter Receipts Reserved for Appropriation Account.

Upon recommendation of the WAYS AND MEANS & VETERANS AFFAIRS COMMITTEE, the following APPOINTMENT was CONFIRMED. Vt. 7 "yeas"; Councillor Bodanza abstained.

Doyle Field Commission – Mark C. Bodanza – Term to expire April 15, 2021

Upon recommendation of the WAYS AND MEANS & VETERANS AFFAIRS COMMITTEE, the following RESOLUTION was ADOPTED Vt. 7 "yeas" Councillor Bodanza abstained due to a possible conflict of interest.

**Resolution to Accept Public Way and to Authorize Mayor to Acquire Title to Real Property**

BE IT RESOLVED:

That whereas, at the regular meeting of the City Council on November 27, 2017, Petition 15-18 was granted, thereby approving the layout of Sawtelle Road, the City Council of the City of Leominster now hereby accepts Sawtelle Road as a public way, as shown more particularly on a plan of land entitled "Sawtelle Road Extension, Acceptance Plan of Land in Leominster, MA," Prepared for City of Leominster, dated September 27, 2017, a copy of which is on file with the City Clerk, and further authorizing the Mayor to acquire land and/or easements for public way and drainage, utility, access and/or related purposes by purchase, gift, and/or eminent domain, all for nominal consideration and on such other terms as the Mayor deems appropriate, and to execute acceptances of deeds and/or other documents therefor; and to take all actions necessary or convenient to accomplish the foregoing.

MEETING ADJOURNED AT 8:07 P.M.

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Lynn A. Bouchard, City Clerk and  
Clerk of the City Council